

ATTACHMENT A



2 2 AUG 2008

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Robert C. Faber
OSTROLENK, FABER, GERB & SOFFEN
1180 Avenue of the Americas
New York, NY 10036-8403

In re Application of
FRANK HENGLEIN et al
Application No.: 10/584,691
PCT No.: PCT/EP04/14663
Int. Filing Date: 23 December 2004
Attorney's Docket No.: P/746-7
For: METAL PIGMENTS COMPRISING A CROSS-
LINKABLE BINDING AGENT COATING, COATING
COMPOSITION, METHOD FOR THE PRODUCTION
OF COATED METAL PIGMENTS AND USE THEREOF

OFCS FILE NO.	P/746-7
PATENTS ORDERED	nm

DEF
MAP

Dear Mr. Faber:

This is in response to your communication filed 14 July 2008 regarding the status of the above captioned application. U.S. application 10/584,691 is abandoned for failure to file a reply to the "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) (Form PCT/DO/EO/905) mailed 21 March 2007. A copy of the Form PCT/DO/EO/905 and the "NOTIFICATION OF ABANDONMENT" (Form PCT/DO/EO/909 mailed 26 June 2008) are attached for your convenience.

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Attachment: copy of Forms PCT/DO/EO/905 and
PCT/DO/EO/909.

COPY

AUG 27 2008



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
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 Alexandria, Virginia 22313-1450
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/584,691	Frank Henglein	P/746-7

INTERNATIONAL APPLICATION NO.

PCT/EP04/14663

I.A. FILING DATE	PRIORITY DATE
12/23/2004	12/23/2003

Mark A Farley
 Ostrolenk Faber Gerb & Soffen
 1180 Avenue of the Americas
 New York, NY 10036-8402

CONFIRMATION NO. 9420

371 FORMALITIES LETTER



OC000000023007015

Date Mailed: 03/21/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/23/2006
- English Translation of the IA filed on 06/23/2006
- Copy of the International Search Report filed on 06/23/2006
- Copy of IPE Report filed on 06/23/2006
- Copy of Annexes to the IPER filed on 06/23/2006
- English Translation of Annexes to the IPE filed on 06/23/2006
- Preliminary Amendments filed on 06/23/2006
- Information Disclosure Statements filed on 06/23/2006
- Oath or Declaration filed on 06/23/2006
- U.S. Basic National Fees filed on 06/23/2006
- Priority Documents filed on 06/23/2006
- Specification filed on 06/23/2006
- Claims filed on 06/23/2006
- Abstracts filed on 06/23/2006
- Drawings filed on 06/23/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

Additionally the following defects have been observed:

- Annexes have not been entered because claims must fall into consecutive order..

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above.(37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/584,691	PCT/EP04/14663	P/746-7



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INTERNATIONAL APPLICATION NO.	
PCT/EP2004/014663	
I.A. FILING DATE	PRIORITY DATE
12/23/2004	12/23/2003

CONFIRMATION NO. 9420
371 ABANDONMENT/TERMINATION
LETTER



Date Mailed: 06/26/2008

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- failure to respond to notice of missing part (905) mailed 3/21/07

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225